

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN RE: AQUEOUS FILM-FORMING FOAMS
PRODUCTS LIABILITY LITIGATION

MDL No. 2:18-mn-2873-RMG

This Document relates to:
ALL CASES

**CONSENT MOTION TO EXTEND THE BRIEFING SCHEDULE TO FILE THE
PLAINTIFFS' EXECUTIVE COMMITTEE'S MOTION TO COMPEL**

Pursuant to Local Civil Rule 6.01, the parties move by consent for an extension of time for the Plaintiffs' Executive Committee ("PEC") to file a renewed Motion to Compel the Production of Documents from Defendants E. I. du Pont de Nemours and Company, The Chemours Company and The Chemours Company FC, LLC ("Defendants"), pursuant to this Court's Order on Defendants' Motion for Reconsideration (the "Order," ECF 2844).

The Order directed the parties to meet and confer and permitted the PEC to file a motion to compel by March 27, 2023.¹ During the meet and confer process, the parties have made progress to narrow their dispute over remaining documents. Defendants have agreed to produce a number of documents but need additional time to complete their productions. The PEC, in turn, needs time to review those forthcoming productions and meet and confer, if possible, with respect to any documents Defendants withhold from their productions.

The extension would not affect the deadlines for any other parties or claims in this litigation. The pending productions relate to Plaintiffs' fraudulent transfer claims against these Defendants. The Court has entered the Stipulation Regarding Fraudulent Transfer Claims Deadlines setting out a separate discovery deadline governing Plaintiffs' fraudulent transfer

¹ Order at 13 ("[T]he PEC shall meet and confer with Defendants within the next 30 days and file any motion to compel as to said documents within 45 days of this Order.")

claims. *See* CMO 23. The parties previously agreed that they would seek an extension of the discovery deadlines after the PEC's Motion to Compel was decided, *see* ECF 2329, in a motion that this Court granted by text order, ECF 2353. The PEC's Motion to Compel was decided by an order of this Court dated December 1, 2022, which was modified by the Order. The extension would not affect any other deadlines in this litigation. *See* CMO 23 at ¶ 2.

For the reasons set forth above, the parties respectfully move the Court for a brief extension of time from March 27, 2023 until April 17, 2023, for the PEC to file a motion to compel, if necessary, after the parties complete the meet and confer process. Counsel for Defendants have consented and authorized counsel for Plaintiffs to include counsel for Defendants' electronic signature on this consent motion.

Dated: March 27, 2023 Respectfully Submitted,

By: /s/ Fred Thompson
Fred Thompson
Motley Rice LLC
28 Bridgeside Boulevard
Mt. Pleasant, SC 29464
P: (843) 216-9000
Fax: 843-216-9440
ftompson@motleyrice.com

Plaintiffs' Liaison Counsel

-and-

/s/ Michael A. London
Michael A London
Douglas and London PC
59 Maiden Lane 6th Floor
New York, NY 10038
P: (212)-566-7500
F: (212)-566-7501
mlondon@douglasandlondon.com

Paul J. Napoli
Napoli Shkolnik PLLC
1301 Avenue of The Americas, 10th Floor
New York, NY 10019
P: (212)-397-1000
F: (646)-843-7603
pnapoli@napolilaw.com

Scott Summy
Baron & Budd, P.C.
3102 Oak Lawn Avenue, Suite 1100
Dallas, TX 75219
P: (214)-521-3605
ssummy@baronbudd.com

Co-lead Counsel for Plaintiffs

WE CONSENT

By: /s/ Katharine A. Roin

John S. Phillips (CO No. 24884)
Katherine L.I. Hacker (CO No. 46656)
BARTLIT BECK LLP
1801 Wewatta St., 12th Floor
Denver, CO 80202
Telephone: (303) 592-3100
Facsimile: (303) 592-3140
john.phillips@bartlitbeck.com
kat.hacker@bartlitbeck.com

Katharine A. Roin (IL No. 6302872)
Joshua P. Ackerman (IL No. 6317777)
BARTLIT BECK LLP
54 W. Hubbard St.
Chicago, IL 60654
Telephone: (312) 494-4400
Facsimile: (312) 494-4440
kate.roin@bartlitbeck.com
joshua.ackerman@bartlitbeck.com

John C. Moylan, III (Fed. I.D. # 5431)
Matthew T. Richardson (Fed. I.D. #7791)
Alice W. Parham Casey (Fed. I.D. #9431)
Mary Lucille Dinkins (Fed. I.D. #11961)
WYCHE, P.A.
807 Gervais St., Suite 301
Columbia, SC 29201
Telephone: (803) 254-6542
Facsimile: (803) 254-6544
jmoylan@wyche.com
mrichardson@wyche.com
tcasey@wyche.com
ldinkins@wyche.com

*Counsel for Defendant E.I. du Pont de Nemours
and Company on the fraudulent transfer claims*

/s/ Margaret Raymond Flood
Margaret Raymond Flood
Norris McLaughlin
400 Crossing Boulevard, 8th Floor
Bridgewater, NJ 08807
P: (908) 722-0700
mraymondflood@norris-law.com

*Counsel for Defendants The Chemours Company
and The Chemours Company FC, LLC on the
fraudulent transfer claims*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was electronically filed with this Court's CM/ECF on this 27th Day of March, 2023 and was thus served electronically upon counsel of record.

/s/ Fred Thompson, III